

**NEVADA DEPARTMENT OF
CONSERVATION & NATURAL RESOURCES**

STATE ENVIRONMENTAL COMMISSION

HEARING ARCHIVES FOR

REGULATORY PETITIONS

COMMISSION PETITION NO. 98006

LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R-063-98

DOCUMENTS INCLUDED IN THIS FILE:

YES SECRETARY OF STATE FILING FORM

YES DISCLOSURE STATEMENT PURSUANT TO NRS 233B

REGULATORY PETITIONS

ORIGINAL DRAFTED BY COMMISSION

ADOPTED BY COMMISSION

YES AS FILED AND CODIFIED BY LCB

Secretary of State
Filing Data

**For Filing Administrative
Regulations**

For Emergency
Regulations Only

Effective Date

Expiration Date

Governor's Signature

State Environmental Commission

Classification [] Proposed [] Adopted By Agency [xx] Temporary [] Emergency []

Brief description of action: **Petition 98006 (LCB File No. R-063-98)** permanently amends NAC 445B to update the Environmental Commission's Rules of Practice. The petition amends NAC 445B.890 (Request for Hearing) by updating the address and zip code of the Commission. The petition satisfies the requirements of NRS 233B.050(d).

Authority citation other than 233B: NRS 445B.210

Notice date: May 18, 1998; May 26, 1998; and June 3, 1998.

Hearing date: June 17, 1998

Date of Adoption of Agency: June 17, 1998

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066
PETITION 98006 (LCB R-063-98)**

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 445B. This permanent regulation deals with minor amendments to the State Environmental Commission's Rules of Practice.

1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.

Petition 98006 (LCB R-063-98), was noticed three (3) times: May 18, 1998, May 26 and June 3, 1998 as a permanent regulation in the Las Vegas Review Journal and the Reno Gazette-Journal newspapers. The regulation was adopted on June 17, 1998 by the Environmental Commission. The regulatory workshop was publicly noticed in the Environmental Commission's public notice for the hearing of March 25, 1998. The workshop was held in conjunction with the Commission's hearing held on March 25, 1998 in Las Vegas, Nevada. No comments were received at the public hearing during adoption of the regulation. The public was also mailed the public notice through the Environmental Commission's mailing list. A copy of the written comments may be obtained by calling the Nevada State Environmental Commission (702) 687-4670 extension 3117, or writing to the Commission at 333 W. Nye Ln., Room 138, Carson City, Nevada 89706-0851.

2. The number persons who:

- | | | |
|-----|-------------------------------------------|----|
| (a) | Attended each hearing; | 45 |
| (b) | Testified at each hearing: | 4 |
| (c) | Submitted to the agency written comments: | 1 |

3. A description of how comment was solicited from affected businesses, a summary of their response, and a explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses by the notices in the newspapers, as outlined in #1 and by direct mail to interested persons subscribing to the Commission's mailing list. See above statement for dates and locations of workshops and notices. No written comments were received regarding this petition, nor was testimony presented regarding this petition. A copy of the written comments may be obtained by calling the Nevada State Environmental Commission (702) 687-4670 or writing to the Commission at 333 W. Nye Ln., Room 138, Carson City, Nevada 89706-0851.

4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The permanent regulation was adopted by the State Environmental Commission on June 17, 1998 without a request for amendment.

5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects: and
- (b) Both immediate and long-term effects.

There is no estimated adverse or beneficial economic effect upon business by this proposed regulation, either immediate or long term. This is a minor administrative amendment (change of address and zip code) to the Rules of Practice of the Environmental Commission.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There will be no increased cost to the Environmental Commission for enforcement of this regulation.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other state regulations which NRS 445B.890 overlaps or duplicates.

8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.

This proposed regulation deals with the Environmental Commission's zip code, hence there is no federal regulation that regulates this activity.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

There will be no additional fees, nor will there be an increase in fees associated with this regulation.

END OF FILING STATEMENT FOR 98006 (LCB R-063-98)

CODIFIED PERMANENT REGULATION OF THE NEVADA STATE ENVIRONMENTAL COMMISSION

LCB File No. R063-98

Explanation: Matter in **italics** is new. Matter in [] is material to be omitted.

AUTHORITY: NRS 233B.050 and 445B.210

Section 1. NAC 445B.890 is hereby amended to read as follows:

445B.890 Any person requesting a hearing before the commission concerning a final decision of the department pursuant to chapter 445B of NRS may so by filing a request, within 10 days of notice of the action of the department, on form 3* with the State Environmental Commission, 333 West Nye Lane, [**Capitol Complex**] **Room 138**, Carson City, Nevada [**89710**] **89706-0851**.

*(See adopting agency for form.)

End of LCB R063-98